

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>1</sup>

PROMESA Title III

Case No. 17-3283-LTS

**Court Filing Relates Only to  
PREPA**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

PROMESA Title III

Case No. 17-4780-LTS

(Jointly Administered)

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

**UNOPPOSED URGENT MOTION OF THE AD HOC GROUP  
OF PREPA BONDHOLDERS FOR LEAVE TO FILE A COMBINED OMNIBUS  
OBJECTION TO (1) THE MOTION FOR APPROVAL OF THE DISCLOSURE  
STATEMENT AND RELATED SOLICITATION AND VOTING PROCEDURES [ECF  
NOS. 3113], (2) AND THE MOTION FOR A CONFIRMATION SCHEDULE AND  
PROCEDURES [ECF NO. 3114], AND FOR THAT OMNIBUS OBJECTION TO  
EXCEED THE PAGE LIMIT FOR OBJECTIONS ESTABLISHED IN THE  
SIXTEENTH AMENDED CASE MANAGEMENT PROCEDURES**

To the Honorable United States District Judge Laura Taylor Swain:

The Ad Hoc Group of PREPA Bondholders (the “Ad Hoc Group”) hereby file this unopposed urgent motion (the “Urgent Motion”) requesting entry of an order, substantially in the form attached hereto as Exhibit A, allowing the Ad Hoc Group to file a single omnibus objection to the Oversight Board’s motion for approval of the Disclosure Statement and related solicitation and voting procedures (“Approval Motion”) (ECF No. 3113) and the motion for a confirmation schedule (“Confirmation Scheduling Motion”) (ECF No. 3114). The Ad Hoc Group further asks that an order be entered allowing the Ad Hoc Group’s omnibus objection to exceed the 35-page limit for objections set forth in the Sixteenth Amended Notice, Case Management and Administrative Procedures (ECF No. 20190-1 in Case No. 17-3283, the “Case Management Procedures”), and setting a page limit for the omnibus objection of 50 pages. In support of this Urgent Motion, Movants respectfully state as follows:

**JURISDICTION AND VENUE**

1. The United States District Court for the District of Puerto Rico has subject-matter jurisdiction over this matter pursuant to Section 306(a) of PROMESA. Venue is proper pursuant to Section 307(a) of PROMESA.

**BASIS FOR RELIEF REQUESTED**

2. The Ad Hoc Group respectfully requests that it be allowed to submit a single omnibus objection to the Approval Motion and the Confirmation Scheduling Motion. The

objections to these submissions by the Oversight Board arise out of the same factual background and they address interrelated legal issues. Objections to these filings can be most efficiently addressed together in a single submission by the Ad Hoc Group, which will also reduce the burden on the parties and the Court.

3. Because the Ad Hoc Group proposes to submit the omnibus objection in lieu of two separate objections, the Ad Hoc Group further asks that the Court allow its omnibus objection to exceed the 35-page limit set forth in Section I.E of the Case Management Procedures for Objections, and that a limit of 50 pages be set for the omnibus objection. This is a 20-page reduction from the total pages available if the Ad Hoc Group submitted two separate 35-page objections. Further, allotting 50 pages to the omnibus objection is appropriate given the complexity of the legal and factual issues raised in the hundreds of pages of material in the Disclosure Statement and related submissions by the Oversight Board. The Ad Hoc Group has serious concerns about the confirmability of the Plan, the adequacy of the Disclosure Statement, and the discovery, voting, and solicitation procedures, which require more than 35 pages to fully and clearly address in a single submission.

4. Accordingly, the Ad Hoc Group respectfully requests authorization to file an omnibus objection of no more than 50 pages to Approval Motion and Confirmation Scheduling Motion, exclusive of the cover page, tables of contents and authorities, signature page, exhibits, and certificate of service.

### **CERTIFICATION**

5. In accordance with Section I.H. of the Case Management Procedures, the undersigned counsel certify that they have engaged in reasonable, good-faith communications with counsel for the FOMB, and counsel for the FOMB does not oppose the relief requested in this

Urgent Motion. As required by Local Bankruptcy Rule 9013-1(a)(2), the undersigned counsel certify that counsel has carefully examined the matter and concluded that there is a true need for expedited consideration of the Urgent Motion given the February 3, 2023, deadline for the submission of the omnibus objection, and that the undersigned counsel have not created the urgency through lack of due diligence on their part.

**NO PRIOR REQUEST**

6. No prior request for the relief requested herein has been made by the movants to this or to any other court.

WHEREFORE, the Ad Hoc Group respectfully requests that this Court enter an order substantially in the form attached hereto as Exhibit A granting the relief requested herein and granting such other relief as this Court deems just and proper.

We hereby certify that, on this same date, we electronically filed the foregoing with the clerk of the Court using the CM/ECF system, which will notify the attorneys of record.

Dated: San Juan, Puerto Rico  
February 2, 2023

**TORO COLÓN MULLET P.S.C.**

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**Exhibit A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>2</sup>

PROMESA Title III

No. 17-BK-3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

PROMESA Title III

No. 17-BK-4780-LTS

<sup>2</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

**[PROPOSED] ORDER GRANTING UNOPPOSED URGENT MOTION OF THE AD HOC GROUP OF PREPA BONDHOLDERS FOR LEAVE TO FILE A COMBINED OMNIBUS OBJECTION (1) THE MOTION FOR APPROVAL OF THE DISCLOSURE STATEMENT AND RELATED SOLICITATION AND VOTING PROCEDURES [ECF NOS. 3113], (2) AND THE MOTION FOR A CONFIRMATION SCHEDULE AND PROCEDURES [ECF NO. 3114], AND FOR THAT OMNIBUS OBJECTION TO EXCEED THE PAGE LIMIT FOR OBJECTIONS ESTABLISHED IN THE SIXTEENTH AMENDED CASE MANAGEMENT PROCEDURES**

Upon consideration of the *Unopposed Urgent Motion of the Ad Hoc Group of PREPA Bondholders for Leave to File a Combined Omnibus Objection to (1) the Motion for Approval of the Disclosure Statement and Related Solicitation and Voting Procedures [ECF Nos. 3113], (2) and the Motion for a Confirmation Schedule and Procedures [ECF No. 3114], and for That Omnibus Objection to Exceed the Page Limit for Objections Established in the Sixteenth Amended Case Management Procedures* (the “Urgent Motion”),<sup>3</sup> the Court hereby FINDS AND DETERMINES that (i) the Court has jurisdiction to consider the Urgent Motion and the relief requested therein pursuant to Section 306(a) of PROMESA; (ii) venue is proper before this Court pursuant to Section 307(a) of PROMESA; (iii) the relief requested in the Urgent Motion is proper and in the best interest of the Title III debtors, their creditors, and other parties in interest; and (iv) due and proper notice of this Urgent Motion has been provided under the particular circumstances and no other or further notice need be provided. Accordingly, it is hereby ORDERED THAT:

1. The Urgent Motion is GRANTED as set forth herein.
2. The Ad Hoc Group may submit a single omnibus objection to the Oversight Board’s Approval Motion [ECF No. 3113] and Confirmation Scheduling Motion [ECF No. 3114], and the Ad Hoc Group may exceed the thirty-five (35) page limit set forth in the Case Management

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<sup>3</sup> Capitalized terms not defined herein shall have the meanings ascribed to them in the Urgent Motion.



Procedures by filing an omnibus objection of no more than fifty (50) pages, exclusive of the cover page, tables of contents and authorities, signature page, exhibits, and the certificate of service.

3. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation or interpretation of this Order.

SO ORDERED

Dated: February \_\_\_, 2023  
San Juan, Puerto Rico

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HONORABLE LAURA TAYLOR SWAIN  
United States District Judge